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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,422	08/31/2001	William W. Macy	42390P12386	2683
8791	7590	11/28/2005		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			EXAMINER BRAGDON, REGINALD GLENWOOD	
			ART UNIT	PAPER NUMBER
			2185	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/945,422

Applicant(s)

MACY ET AL.

Examiner

Reginald G. Bragdon

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).
2. The drawings are objected to because in figure 19, “502” should be --510-- (see paragraph 85, line 2).
3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

4. The disclosure is objected to because of the following informalities:

In paragraph 2, line 7, “merger” should be --merge--.

It appears that paragraphs [0031]-[0036] are directed to a “Summary of the Invention”.

Applicant should move these paragraphs to a separate “Summary of the Invention” section before the “Brief Description of the Drawings”.

In paragraph 32, line 3, “n” should be --in--.

In paragraph 40, line 2, “109” should be --209--.

In paragraph 44, line 6, “100” should be --200--.

In paragraph 46, line 1, “309” should be --209-- (both instances).

In paragraph 50, line 5, “104” should be --204--.

In paragraph 56, line 3, “operation” should be --instruction--.

In paragraph 67, lines 1-2, “are into” is unclear. Is a word or words missing from the sentence?

In paragraph 74, line 3, appendices A and B are referred to, however there are no appendices in the present application.

In paragraph 75, line 8, “520” should be --500--.

In paragraph 80, line 6, --at process block 438-- should be added after “device”.

In paragraph 81, line 8, --at process block 456-- should be added after “selected”.

Appropriate correction is required.

***Claim Objections***

5. Claims 3-7, 13-17, and 21-27 are objected to because of the following informalities:

In claim 3, line 1, "data elements" should be --a data element--.

In claim 4, line 1, "data elements" should be --a data element--.

In claim 7, line 1, "1" should be --2--.

In claim 7, line 1, --a-- should be added before "destination".

In claim 13, lines 1-2, "data elements" should be --a data element--.

In claim 14, lines 1-2, "data elements" should be --a data element--.

In claim 17, line 1, "11" should be --12--.

In claim 17, line 2, --a-- should be added before "destination".

In claim 21, line 6, --that-- should be added before "are".

In claim 24, line 1, --the-- should be added before "instruction"

In claim 25, line 1, --the-- should be added before "instruction".

In claim 27, line 2, "a n" should be --an--.

All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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7. Claims 1-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

It is not clear in the specification where Applicant teaches how plural “randomly located” data is accessed from the source memory device in response to a single multiple-data load instruction. The Examiner notes Applicant’s definition of “randomly located data” at paragraph 31, lines 5-6, however there is no apparent discussion of how to access multiple data that is located non-contiguously and with no definite pattern in response to a single instruction.

8. Claims 1-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

It is not clear from the specification how multiple randomly located data can be accessed from a memory device in response to a single multiple-data load instruction.

### ***Conclusion***

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

All “OFFICIAL” patent application related correspondence transmitted by FAX must be directed to the central FAX number at (571) 273-8300:

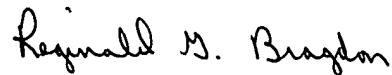
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“INFORMAL” or “DRAFT” FAX communications may be sent to the Examiner at (571) 273-4204, only after approval by the Examiner.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald G. Bragdon whose telephone number is (571) 272-4204. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and every other Friday from 7:00 AM to 3:30 PM.

The examiner's supervisor, Mano Padmanabhan, can be reached at (571) 272-4210.

RGB  
November 21, 2005

  
Reginald G. Bragdon  
Primary Patent Examiner  
Art Unit 2185